

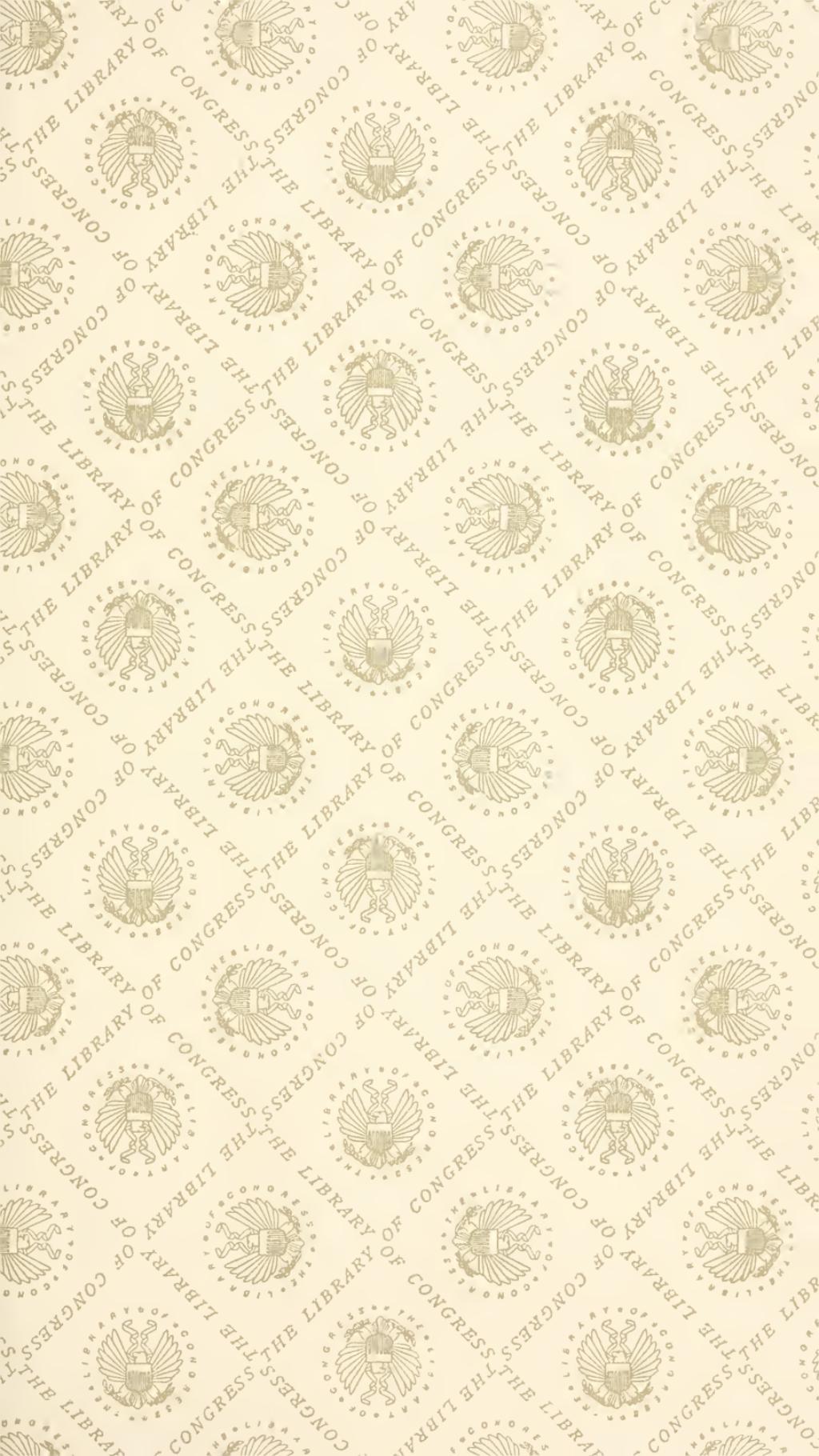
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S P E E C H

OF THE

HON. JAMES TALLMADGE,

OF

DUCHESS COUNTY, NEW YORK,

IN THE

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

ON

SLAVERY.



BOSTON:

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M DCCC XLIX.

PREFATORY REMARKS.

THE general interest which prevails in every part of the United States at the present time, in relation to the existence of slavery, and especially its introduction into new territory, induces me to believe that the reprint of the fragments of Congressional history which compose this pamphlet may afford gratification to many who are not conversant with the debates of 1819, in the House of Representatives.

I have searched the records of that day with some diligence, and I find that very few of the recent discussions in Congress embody more important statements than are contained in the able speech of General James Tallmadge, of New York, and who was then the Representative from Dutchess County, in that State. The ordinance of 1787 was the work of Nathan Dane, of Massachusetts. After the adoption of the Constitution, the question upon the restriction of slavery in any new State, did not offer itself to Congress until the year 1819, when a bill was introduced into the House, "for authorizing the people of the territory of Missouri to form a Constitution and State government, and for the admission of the same into the Union." At this crisis, General Tallmadge nobly asserted the cause of human freedom. I quote from the *National Intelligencer* of Feb. 15th, 1819:—

" HOUSE OF REPRESENTATIVES, FEB. 13.

"The House, on the motion of Mr. Scott, resolved itself into a committee of the whole, on the bills to enable the people of the territories of Missouri and Alabama to form State governments.

"The bill relating to Missouri territory was first taken up. In the course of the consideration Mr. Tallmadge moved an amendment substantially to limit the existence of slavery in the new State, by declaring all men free who should be born in the territory after its admission into the Union, and providing for the gradual emancipation of those now held in bondage. This motion gave rise to an interesting and pretty wide debate, in which the proposition was supported by the mover, and by Messrs. Livermore and Mills; and was opposed by Messrs. Clay, (Speaker,) Barbour and Pindall; but before any question was taken, the Committee rose, and the House adjourned."

The *Intelligencer* of the 16th Feb. gives the following account of the proceedings of the House:

"The House having again resolved itself into a committee of the whole, (on the Missouri Bill.)

"The question being on the proposition of Mr. Tallmadge, to amend the bill by adding to it the following *proviso*:

"And provided that the further introduction of slavery, or involuntary servitude, into the said State, be prohibited, except for the punishment of crimes, whereof the party shall have been duly convicted; and that all children of slaves born within the said State, after the admission thereof into the Union, shall be free, but may be held to service until the age of twenty-five years."

"The debate which commenced on Saturday was to-day resumed on this proposition; which was supported by Mr. Taylor, Mr. Mills, Mr. Livermore, and Mr. Fuller; and opposed by Mr. Barbour, Mr. Clay, Mr. Pindall, and Mr. Holmes.

"Besides the above gentlemen, Mr. Harrison and Mr. Hendricks spoke on points incidentally introduced into the debate.

(GEN. HARRISON, here mentioned, was then a member from Ohio.)

"The question being put on the motion of Mr. Tallmadge, the vote was, for the amendment, 79; against it, 67; so the amendment was agreed to."

On this debate and vote, the editor of the *Intelligencer* remarks, (Feb. 16):

"In the House of Representatives (yesterday) a decision took place in Committee of the Whole, which, if confirmed by the House, may be expected to have an important bearing on the political relations of the several States, and to have a wider scope of operation than on the face of it would be supposed. It was to annex a restriction on the embryo State of Missouri, from admitting into the Constitution which the people are to be authorized to form, the recognition of the principle of slavery. This is the *first instance* of such a restriction being imposed on the new States; and the result of the motion to superadd it to the provisions of the bill, appears to have been *wholly unexpected*."

On the 16th of February, (we further learn from the reports of the proceedings in the same paper,) the bill was taken up by the House, as reported from the Committee of the Whole; and, after a long debate, the question was taken on the first part of Mr. Tallmadge's amendment, and carried, — yeas, 87; nays, 76, — and the latter part of the amendment (relating to the children of slaves) was also carried, — yeas, 82; nays, 78.

"So the whole of the amendments, as proposed by *Mr. Tallmadge*, were agreed to.

"The question on ordering the bill to be engrossed for a third reading, was decided in the affirmative, 97 to 56, and the House adjourned."

In the Senate, on the 22nd of February, the first clause of Mr. Tallmadge's amendment was stricken out, — yeas, 22; nays, 16.

Among the yeas we observe the names of a few northern men, viz., Harrison Gray Otis, of Massachusetts, Mr. Palmer, of Vermont, and Mr. Lacock, of Pennsylvania.

The last clause of the amendment was also stricken out by the Senate, — yeas, 31; nays, 7.

“ On the 2nd of March the House refused to concur with the Senate in striking out the amendment,— yeas, 76 ; nays, 78,— and so the bill was lost by disagreement between the two houses.

“ The next Congress, however, passed a bill to admit Missouri into the Union, with the celebrated compromise section, restricting slavery in all territory of the United States (except the State of Missouri) north of latitude 36° 30'. The House adopted the compromise on the 2nd of March, 1820,— yeas, 90 ; nays, 87.

“ At the session of 1819, before referred to, a bill to establish the territory of Arkansas was passed. While it was under discussion in the House, *Mr. John W. Taylor*, of New York, proposed, on the 18th of February, a restriction as to slavery, in the words of Mr. Tallmadge's proviso, which had been adopted by the House two days previous. The first clause of the amendment was lost,— yeas, 70 ; nays, 71,— the latter part carried,— yeas, 75 ; nays, 73 ;— but finally stricken out by the casting vote of the Speaker, (*Mr. Clay*,)— yeas, 88 ; nays, 88.

“ *Mr. Taylor* again moved the first clause, which was lost,— yeas, 86 ; nays 90,— and the Bill was finally passed on the 20th of February.”

The people of the territory of Alabama were authorized to form a State convention at the same session, of 1819,— no opposition being made to the bill. Here I think it right to say, that while Mr. Tallmadge was nobly opposed to the enlargement of the area of slavery, by engrafting it upon new territory, he had that deference for *constitutional and state rights* which led him to withhold his opposition in this case. And, I would observe, that the facts of the admission of Alabama are peculiarly deserving of notice, and the course adopted by Mr. Tallmadge exhibits him most favorably, as a high-minded and discriminating politician.

The people of the territory of Alabama had petitioned for admission into the Union ;— the bill was before the same Congress, but stood low down on the calendar of business, and *during the debate* on the Missouri bill, a motion was made by

the delegate to take the question for the admission of Alabama out of the order of business.

Mr. Tallmadge, of New York, rose and seconded the motion, to take the question for the admission of Alabama out of its order. He said, the principles he had avowed in the debate on the Missouri bill, would guide his course on this bill. That slavery in the old States which formed the Constitution was a question of State authority, and did not belong to the United States, and was to be regulated by the compromises then made in the Constitution. That in cases of newly acquired territory, not inhabited, he considered it an open question for legislation, on the expediency of the terms and conditions of admission ; that, in the case of Alabama, it was territory, since acquired by purchase, *it was a settled country and with a dense population, pre-existing before the purchase.* That it would be a violation of the rights of property, and bad faith to the inhabitants and settlers to add to Alabama the condition which he had moved and was now under discussion on the Missouri bill. Mr. T. said he should not, therefore, move such condition to the Alabama bill, and he believed no such condition would be moved. He therefore moved the question on the bill for the admission of Alabama.

The question was taken, and carried without opposition or division, and contained no restrictions as to slavery.

The conduct of Gen. Tallmadge and his colleague, the late Mr. Taylor, gave great popularity to both these gentlemen, and forever endeared them to the people of their State ; Gen. Tallmadge has ever since, whether in high public station, or in private life, enjoyed the fullest confidence of his fellow-citizens, and been delegated by them to both the Conventions for forming and altering the Constitution. The speech made in Congress was printed at the time, by a society in New York, as appears from the Letter annexed ; and was also thought worthy of publication in England and Germany, where the boldness of its character excited much surprise. In a recent perusal of this production, I was so much pleased with its manly and consistent view of the matter in hand, and its remarkable adaptation to the present posture of public affairs,

that I have deemed it worthy of a more general circulation than it has had among the *present generation*. I regard the document as a public one ; and, believing that the honorable gentleman still holds the same views upon Slavery and Freedom, as are conveyed in his admirable argument, I have felt no hesitancy in placing it before the public upon my individual responsibility. I am rejoiced to know that the citizens of the great State of New York are sound upon this important subject ; and it is gratifying to see the general feeling of the other States now coinciding with views originally promulgated by her distinguished son, who yet lives in the enjoyment of health and activity, to witness the prevalence of sentiments which it was his honor and happiness *first* to announce, at such an eventful period of the history of our country.

R. F. J.

BOSTON, FEB. 1, 1849.

SPEECH
OF THE
HONORABLE JAMES TALLMADGE,

MEMBER OF CONGRESS FROM DUCHESS COUNTY, STATE OF NEW YORK.

Debate on “The Bill for Authorizing the People of the Territory of Missouri to form a Constitution and State Government, and for the Admission of the same into the Union.”

The amendment proposed, was a condition in these words — “And provided also, that the further introduction of slavery or involuntary servitude into the said State, be prohibited, except for the punishment of crimes, whereof the party shall have been duly convicted — and that all children of slaves, born within the said State, after the admission thereof into the Union, shall be free, but may be held to service until the age of twenty-five years.”

Mr. TALLMADGE, of New York, rose.—Sir, said he, it has been my desire and my intention to avoid any debate on the present painful and unpleasant subject. When I had the honor to submit to this House the amendment now under consideration, I accompanied it with a declaration, that it was intended to confine its operation to the newly acquired territory across the Mississippi ; and I then expressly declared, that I would in no manner intermeddle with the slaveholding states, nor attempt manumission in any one of the original states in the Union. I even went further, and stated, that I was aware of the delicacy of the subject—and, that I had learned from southern gentlemen, the difficulties and the dangers of having free blacks intermingling with slaves ; and, on that account, and with a view to the safety of the white population of the adjoining states, I would not even advocate the prohibition of slavery in the Alabama territory ; because, surrounded as it was by slaveholding states, and with only imaginary lines of division, the intercourse between slaves and free blacks could not be prevented, and a servile war might be the result. While we deprecate and mourn over the evil of slavery, humanity and good morals

require us to wish its abolition, under circumstances consistent with the safety of the white population. Willingly, therefore, will I submit to an evil, which we cannot safely remedy. I admitted all that had been said of the danger of having free blacks visible to slaves, and therefore did not hesitate to pledge myself, that I would neither advise nor attempt coercive manumission. But, sir, all these reasons cease when we cross the banks of the Mississippi, a newly acquired territory, never contemplated in the formation of our government, not included within the compromise or mutual pledge in the adoption of our Constitution—a territory acquired by our common fund, and ought justly to be subject to our common legislation.

When I submitted the amendment now under consideration, accompanied with these explanations, and with these avowals of my intentions and of my motives—I did expect that gentlemen, who might differ from me in opinion, would appreciate the liberality of my views, and would meet me with moderation, as upon a fair subject for general legislation. I did expect, at least, that the frank declaration of my views, would protect me from harsh expressions, and from the unfriendly imputations which have been cast out on this occasion. But, such has been the character and the violence of this debate, and expressions of so much intemperance, and of an aspect so threatening, have been used, that continued silence on my part would ill become me, who had submitted to this House the original proposition. While this subject was under debate before the committee of the whole, I did not take the floor, and I avail myself of this occasion to acknowledge my obligations to my friends, (Mr. Taylor and Mr. Mills,) for the manner in which they supported my amendment, at a time, when I was unable to partake in the debate. I had only on that day returned from a journey long in its extent, *and painful in its occasion*; and, from an affection of my breast, I could not then speak; I cannot yet hope to do justice to the subject, but I do hope to say enough to assure my friends, that I have not *left* them in the controversy, and to convince the opponents of the measure, that their violence has not driven me from the debate.

Sir, the honorable gentleman from Missouri, (Mr. Scott,) who has just resumed his seat, has told us of the *ides of March*, and has cautioned us to “beware of the fate of Cæsar and of Rome.” Another gentleman, (Mr. Cobb,)

from Georgia, in addition to other expressions of great warmth, has said, *that if we persist the Union will be dissolved* ; and, with a look fixed on me, has told us, “we have kindled a fire, which all the waters of the ocean cannot put out ; which seas of blood can only extinguish !”

Language of this sort has no effect on me ; my purpose is fixed ; it is interwoven with my existence ; its durability is limited with my life ; it is a *great and glorious cause*, setting bounds to a *slavery*, the most cruel and debasing the world has ever witnessed ; it is the freedom of man ; it is the cause of unredeemed and unregenerated human beings.

If a dissolution of the Union must take place, *let it be so !* If civil war, which gentlemen so much threaten, must come, I can only say, *let it come !* My hold on life is probably as frail as that of any man who now hears me ; but, while that hold lasts, it shall be devoted to the service of my country—to the freedom of man. If blood is necessary to extinguish any fire which I have assisted to kindle, I can assure gentlemen, while I regret the necessity, I shall not forbear to contribute my mite. The violence, to which gentlemen have resorted on this subject, will not move my purpose, nor drive me from my place. I have the fortune and the honor to stand here as the representative of *freemen*, who possess intelligence to know their rights, who have the spirit to maintain them. Whatever might be my own private sentiments on this subject, standing here as the representative of others, no choice is left me. I know the will of my constituents, and, regardless of consequences, I will avow it—as their representative, I will proclaim their hatred to slavery, in every shape—as their representative, here will I hold my stand, till this floor, with the Constitution of my country which supports it, shall sink beneath me. If I am doomed to fall, I shall at least have the painful consolation to believe that I fall, as a fragment, in the ruins of my country.

The gentleman from Virginia, (Mr. Gholston,) has accused my honorable friend from New Hampshire, (Mr. Livermore,) of “speaking to the galleries, and, by his language, endeavouring to excite a servile war,” and has ended by saying, “he is no better than Arbuthnot or Ambrister ; and deserves no better fate.” When I hear such language uttered upon this floor, and within this House, I am constrained to consider it as hasty and unintended language, resulting from the vehemence of debate, and not really intending the personal indecorum the expressions would seem to indicate. (Mr.

Gholston asked to explain, and said he had not distinctly understood Mr. T.—Mr. Livermore called on Mr. G. to state the expressions he had used. Mr. G. then said he had no explanation to give.) Mr. T. said he had none to ask—he continued to say, he would not believe any gentleman on this floor would commit so great an indecorum against any member, or against the dignity of this House, as to use such expressions, really intending the meaning which the words seem to import, and which had been uttered against the gentleman from New Hampshire. (Mr. Nelson of Virginia, in the chair, called to order, and said no personal remarks would be allowed.) Mr. T. said he rejoiced the chair was at length aroused to a sense of its duties. The debate had, for several days, progressed with unequalled violence, and all was in order—but now, when at length this violence on one side is to be resisted, the chair has discovered it is out of order. I rejoice, said Mr. T., at the discovery, I approve of the admonition, while I am proud to say, it has no relevancy to me. It is my boast that I never uttered an unfriendly personal remark on this floor, but I wish it distinctly understood, that the immutable laws of self-defence will justify going to great lengths, and that, in the future progress of this debate, the rights of defence would be regarded.

Sir, has it already come to this—that, in the Congress of the United States—that, in the legislative councils of Republican America, the subject of slavery has become a subject of so much feeling—of so much delicacy—of such danger, that it cannot safely be discussed? Are members who venture to express their sentiments on this subject, to be accused of talking to the galleries, with intention to excite a servile war; and of meriting the fate of Arbuthnot and Ambrister? Are we to be told of the dissolution of the Union; of civil war, and of seas of blood? And yet, with such awful threatenings before us, do gentlemen, in the same breath, insist upon the encouragement of this evil; upon the extension of this monstrous scourge of the human race? An evil so fraught with such dire calamities, to us, as individuals, and to our nation, and threatening, in its progress, to overwhelm the civil and religious institutions of the country, with the liberties of the nation, ought, at once, to be met, and to be controlled. If its power, its influence, and its impending dangers, have already arrived at such a point, that it is not safe to discuss it on this floor; and it cannot

now pass under consideration as a proper subject for general legislation, what will be the result when it is spread through your widely extended domain? Its present threatening aspect, and the violence of its supporters, so far from inducing me to yield to its progress, prompt me to resist its march. Now is the time. It must now be met, and the extension of the evil must now be prevented, or the occasion is irrecoverably lost, and the evil can never be contracted.

Extend your view across the Mississippi, over your newly acquired territory — a territory so far surpassing, in extent, the limits of your present country, that that country which gave birth to your nation, which achieved your Revolution, consolidated your Union, formed your Constitution, and has subsequently acquired so much glory, hangs but as an appendage to the extended empire over which your republican government is now called to bear sway. Look down the long vista of futurity ; see our empire, in extent unequalled, in advantageous situation without a parallel, and occupying all the valuable part of our continent ! Behold this extended empire, inhabited by the hardy sons of American free-men, knowing their rights, and inheriting the will to protect them — owners of the soil on which they live, and interested in the institutions which they labor to defend ; with two oceans laving your shores, and tributary to your purposes ; bearing on their bosoms the commerce of your people ! Compared to yours, the governments of Europe dwindle into insignificance, and the whole world is without a parallel. But, reverse this scene ; people this fair dominion with the slaves of your planters ; extend *slavery*, this bane of man, this abomination of heaven, over your extended empire, and you prepare its dissolution ; you turn its accumulated strength into positive weakness ; you cherish a canker in your breast ; you put poison in your bosom ; you place a vulture on your heart — nay, you whet the dagger and place it in the hands of a portion of your population, stimulated to use it by every tie, human and divine ! The envious contrast between your happiness and their misery, between your liberty and their slavery, must constantly prompt them to accomplish your destruction ! Your enemies will learn the source and the cause of your weakness. As often as external dangers shall threaten, or internal commotions await you, you will then realize, that, by your own procurement, you have placed amidst your families, and in the bosom of your country, a

population producing, at once, the greatest cause of individual danger and of national weakness. With this defect, your government must crumble to pieces, and your people become the scoff of the world !

We have been told, with apparent confidence, that we have no right to annex conditions to a State, on its admission into the Union ; and it has been urged that the proposed amendment, prohibiting the further introduction of slavery, is unconstitutional. This position, asserted with so much confidence, remains unsupported by any argument, or by any authority derived from the Constitution itself. The Constitution strongly indicates an opposite conclusion, and seems to contemplate a difference between the old and the new States. The practice of the government has sanctioned this difference in many respects.

The third section of the fourth article of the Constitution says, "*new States may be admitted by the Congress into this Union,*" and it is silent as to the terms and conditions upon which the new States may be so admitted. The fair inference from this silence is, that the Congress which might admit should prescribe the time and the terms of such admission. The tenth section of the first article of the Constitution says, "*the migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808.*" The words "*now existing*" clearly show the distinction for which we contend. The word *slave* is nowhere mentioned in the Constitution ; but this section has always been considered as applicable to them, and unquestionably reserved the right to prevent their importation into any *new State* before the year 1808.

Congress, therefore, have power over the subject, probably as a matter of legislation, but more certainly as a right, to prescribe the time and the condition upon which any new State may be admitted into the family of the Union. Sir, the bill now before us proves the correctness of my argument. It is filled with conditions and limitations. The territory is required to take a census, and is to be admitted only on condition that it have 40,000 inhabitants. I have already submitted amendments preventing the State from taxing the lands of the United States, and declaring that all navigable waters shall remain open to the other States, and be exempt from any tolls or duties. And my friend, (Mr.

Taylor,) has also submitted amendments, prohibiting the State from taxing soldiers' lands for the period of five years. And to all these amendments we have heard no objection — they have passed unanimously. But now, when an amendment, prohibiting the further introduction of slavery, is proposed, the whole House is put in agitation, and we are confidently told that it is unconstitutional to annex conditions on the admission of a new State into the Union. The result of all this is, that all amendments and conditions are proper, which suit a certain class of gentlemen, but whatever amendment is proposed, which does not comport with their interests or their views, is unconstitutional, and a flagrant violation of this sacred charter of our rights. In order to be consistent, gentlemen must go back and strike out the various amendments to which they have already agreed. The Constitution applies equally to all, or to none.

We have been told, that this is a new principle for which we contend, never before adopted, or thought of. So far from this being correct, it is due to the memory of our ancestors to say, it is an old principle, adopted by them as the policy of our country. Whenever the United States have had the right and the power, they have heretofore prevented the extension of slavery. The States of Kentucky and Tennessee were taken off from other States, and were admitted into the Union without condition, because their lands were never owned by the United States. The territory northwest of the Ohio is all the land which ever belonged to them. Shortly after the cession of those lands to the Union, Congress passed, in 1787, a compact which was declared to be unalterable, the sixth article of which provides that "*there shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.*" In pursuance of this compact, all the States formed from that territory have been admitted into the Union upon various considerations, and amongst which the sixth article of this compact is included as one.

Let gentlemen also advert to the laws for the admission of the State of Louisiana into the Union ; they will find it filled with conditions. It was required not to form a constitution upon the principles of a republican government, but it was required to contain the "fundamental principles of civil and religious liberty." It was even required, as a condition

of its admission, to keep its records and its judicial and legislative proceedings in the English language; and also to secure the trial by jury, and to surrender all claim to unappropriated lands in the territory, with the prohibition to tax any of the United States lands.

After this long practice and constant usage to annex conditions to the admission of a State into the Union, will gentlemen yet tell us it is unconstitutional, and talk of our principles being novel and extraordinary? It has been said, that if this amendment prevails, we shall have a union of States possessing unequal rights. And we have been asked whether we wished to see such a "*chequered union?*" Sir, we have such a union already. If the prohibition of slavery is the denial of a right, and constitutes a chequered union, gladly would I behold such rights denied, and such a chequer spread over every State in the Union. It is now spread over the States northwest of the Ohio, and forms the glory and the strength of those States. I hope it will be extended from the Mississippi to the Pacific Ocean.

We have been told that the proposed amendment cannot be received, because it is contrary to the treaty and cession of Louisiana "Article 3. The inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, their property, and the religion which they profess." I find nothing, said Mr. T., in this article of the treaty, incompatible with the proposed amendment. The rights, advantages, and immunities of citizens of the United States are guaranteed to the inhabitants of Louisiana. If one of them should choose to remove into Virginia, he could take his slaves with him; but if he removes to Indiana, or any of the States northwest of the Ohio, he cannot take his slaves with him. If the proposed amendment prevails, the inhabitants of Louisiana, or the citizens of the United States, can neither of them take slaves into the State of Missouri. All, therefore, may enjoy equal privileges. It is a disability, or what I call a blessing, annexed to the particular district of country, and in no manner attached to the individual. But, said Mr. T., while I have no doubt that the treaty

contains no solid objection against the proposed amendment, if it did, it would not alter my determination on the subject. The Senate, or the treaty-making power of our government, have neither the right nor the power to stipulate, by a treaty, the terms upon which a people shall be admitted into the Union. This House have a right to be heard on the subject. The admission of a State into the Union is a legislative act, which requires concurrence of all the departments of legislative power. It is an important prerogative of this House, which I hope will never be surrendered.

The zeal and the ardor of gentlemen, in the course of this debate, has induced them to announce to this House, that, if we persist and force the State of Missouri to accede to the proposed amendment, as the condition of her admission into the Union, she will not regard it, and, as soon as admitted, will alter her constitution, and introduce slavery into her territory. Sir, I am not now prepared, nor is it necessary to determine, what would be the consequence of such a violation of faith — of such a departure from the fundamental condition of her admission into the Union. I would not cast upon a people so foul an imputation, as to believe they would be guilty of such fraudulent duplicity. The States northwest of the Ohio have all regarded the faith and the condition of their admission ; and there is no reason to believe the people of Missouri will not also regard theirs. But, sir, whenever a State admitted into the Union shall disregard and set at nought the fundamental conditions of its admission, and shall, in violation of all faith, undertake to levy a tax upon lands of the United States, or a toll upon their navigable waters, or introduce slavery, where Congress have prohibited it, then it will be in time to determine the consequence. But, sir, if the threatened consequences were known to be the certain result, yet would I insist upon the proposed amendment. The declaration of this House, the declared will of the nation, to prohibit slavery, would produce its moral effect, and stand as one of the brightest ornaments of our country.

It has been urged, with great plausibility, that we should spread the slaves now in our country, and thus spread the evil, rather than confine it to its present districts. It has been said, we should thereby diminish the dangers from them, while we increase the means of their living, and augment their comforts. But, you may rest assured that this

reasoning is fallacious, and that, while slavery is admitted, the market will be supplied. Our coast, and its contiguity to the West Indies and the Spanish possessions, render easy the introduction of slaves into our country. Our laws are already highly penal against their introduction, and yet, it is a well known fact, that about fourteen thousand slaves have been brought into our country this last year.

Since we have been engaged in this debate, we have witnessed an elucidation of this argument, of bettering the condition of slaves, by spreading them over the country. A slave driver, a trafficker in human flesh, as if sent by Providence, has passed the door of your Capitol, on his way to the West, driving before him about fifteen of these wretched victims of his power, collected in the course of his traffic, and, by their removal, torn from every relation, and from every tie which the human heart can hold dear. The males, who might raise the arm of vengeance and retaliate for their wrongs, were hand-cuffed, and chained to each other, while the females and children were marched in their rear, under the guidance of the driver's whip! Yes, sir, such has been the scene witnessed from the windows of Congress Hall, and viewed by members who compose the legislative councils of Republican America.

Sir, in the course of the debate on this subject, we have been told that, from the long habit of the southern and western people, the possession of slaves has become necessary to them, and an essential requisite in their living. It has been urged, from the nature of the climate and soil of the southern countries, that the lands cannot be occupied or cultivated without slaves. It has been said that the slaves prosper in those places, and that they are much better off there than in their own native country. We have even been told that, if we succeed, and prevent slavery across the Mississippi, we shall greatly lessen the value of property there, and shall retard, for a long series of years, the settlement of that country.

Sir, said Mr. T., if the western country cannot be settled without slaves, gladly would I prevent its settlement till time shall be no more. If this class of arguments is to prevail, it sets all morals at defiance, and we are called to legislate on the subject, as, a matter of mere personal interest. If this is to be the case, repeal all your laws prohibiting the slave trade; throw open this traffic to the commercial states

of the East ; and, if it better the condition of these wretched beings, invite the dark population of benighted Africa to be translated to the shores of Republican America. But, sir, I will not cast upon this or upon that gentleman an imputation so ungracious as the conclusion to which their arguments would necessarily tend. I do not believe any gentleman on this floor could here advocate the slave trade, or maintain, in the abstract, the principles of slavery. I will not outrage the decorum, nor insult the dignity of this House, by attempting to argue in this place, as an abstract proposition, the moral right of slavery. How gladly would the "*legitimates of Europe chuckle*," to find an American Congress in debate on such a question.

As an evil brought upon us without our own fault, before the formation of our government, and as one of the sins of that nation from which we have revolted, we must of necessity legislate upon this subject. It is our business so to legislate, as never to encourage, but always to control this evil ; and, while we strive to eradicate it, we ought to fix its limits, and render it subordinate to the safety of the white population, and the good order of civil society.

On this subject the eyes of Europe are turned upon you. You boast of the freedom of your constitution and your laws ; you have proclaimed, in the Declaration of Independence, "*That all men are created equal ; that they are endowed by their Creator with certain unalienable rights — that amongst these are life, liberty, and the pursuit of happiness* ; and yet you have slaves in your country. The enemies of your government, and the legitimates of Europe, point to your inconsistencies, and blazon your supposed defects. If you allow slavery to pass into territories where you have the lawful power to exclude it, you will justly take upon yourself all the charges of inconsistency ; but, confine it to the original slaveholding States, where you found it at the formation of your government, and you stand acquitted of all imputation.

This is a subject upon which I have great feeling for the honor of my country. In a former debate upon the Illinois constitution, I mentioned that our enemies had drawn a picture of our country, as holding in one hand the Declaration of Independence, and with the other brandishing a whip over our affrighted slaves. I then made it my boast that we could cast back upon England the accusation, and that she

had committed the *original sin* of bringing slaves into our country. Sir, I have since received through the post office, a letter, post-marked in South Carolina, and signed, "*A Native of England*," desiring that, when I had occasion to repeat my boast against England, I would also state that she had atoned for her original sin, by establishing in her slave colonies a system of humane laws, meliorating their condition and providing for their safety, while America had committed the secondary sin of disregarding their condition, and had even provided laws by which it was not murder to kill a slave. I felt the severity of the reproof; I felt for my country. I have inquired on the subject, and I find such were formerly the laws in some of the slaveholding States; and that even now, in the State of South Carolina, by law, the penalty of death is provided for stealing a slave, while the murder of a slave is punished by a trivial fine. Such is the contrast and the relative value which is placed, in the opinion of a slaveholding State, between the property of the master and the life of a slave.

Gentlemen have undertaken to criminate and to draw odious contrasts between different sections of our country — I shall not combat such arguments; I have made no pretence to exclusive morality on this subject, either for myself or my constituents; nor have I cast any imputations on others. On the contrary, I hold that mankind under like circumstances are alike, the world over. The vicious and unprincipled are confined to no district of country, and it is for this portion of the community we are bound to legislate. When honorable gentlemen inform us, we overrate the cruelty and the dangers of slavery, and tell us that their slaves are happy and contented, and would even contribute to their safety, they tell us but very little: they do not tell us, that while their slaves are happy, the slaves of some depraved and cruel wretch, in their neighborhood, may not be stimulated to revenge, and thus involve the country in ruin. If we had to legislate only for such gentlemen as are now embraced within my view, a law against robbing the mail would be a disgrace upon the nation; and, as useless, I would tear it from the pages of your statute book; yet sad experience has taught us the necessity of such laws — and honor, justice, and policy, teach us the wisdom of legislating to limit the extension of slavery.

Sir, in the zeal to draw sectional contrasts, we have been

told by one gentleman, that gentlemen from one district of country talk of their religion and their morality, while those of another practice it. And the superior liberality has been asserted of southern gentlemen over those of the north, in all contributions to moral institutions, for bible and missionary societies. I understand too well the pursuit of my purpose to be decoyed and drawn off into the discussion of a collateral subject. I have no inclination to controvert these assertions of comparative liberality. Although I have no idea they are founded in fact, yet, because it better suits the object of my present argument, I will, on this occasion, admit them to the fullest extent. And what is the result? Southern gentlemen, by their superior liberality in contributions to moral institutions, justly stand in the first rank, and hold the first place in the brightest page of the history of our country. But, turn over this page, and what do you behold? You behold them contributing to teach the doctrines of Christianity in every quarter of the globe.— You behold them legislating to secure the ignorance and stupidity of their own slaves! You behold them prescribing by law, penalties against the man that dares teach a negro to read. Such, sir, is the statute law of the state of Virginia. [Mr. Bassett and Mr. Tyler said that there was no such law in Virginia.]

No, sir, said Mr. T., I have mis-spoken myself; I ought to have said, such is the statute law of the state of Georgia. Yes, sir, while we hear of a liberality which文明izes the savages of all countries, and carries the Gospel alike to the *Hottentot* and the *Hindoo*, it has been reserved for the republican state of Georgia, not content with the care of its overseers, to legislate to secure the oppression and the ignorance of their slaves. The man who there teaches a negro to read, is liable to a criminal prosecution. The dark benighted beings of all creation profit by our liberality — save those of our own plantations. Where is the missionary who possesses sufficient hardihood to venture a residence to teach the slaves of a plantation? Here is the stain! Here is the stigma! which fastens upon the character of our country; and which, in the appropriate language of the gentleman from Georgia, (Mr. Cobb,) *all the waters of the ocean cannot wash out; which seas of blood can only take away.*

Sir, there is yet another, and an important point of view, in which this subject ought to be considered. We have been told by those who advocate the extension of slavery into the

Missouri, that any attempt to control this subject by legislation, is a violation of that faith and mutual confidence, upon which our Union was formed, and our Constitution adopted. This argument might be considered plausible, if the restriction was attempted to be enforced against any of the slaveholding states, which had been a party in the adoption of the Constitution. But it can have no reference or application to a new district of country, recently acquired, and never contemplated in the formation of government, and not embraced in the mutual concessions and declared faith, upon which the Constitution was adopted. The Constitution provides, that the representatives of the several states to this House, shall be according to their number, including *three-fifths* of the slaves in the respective states. This is an important benefit yielded to the slaveholding states, as one of the mutual sacrifices for the Union. On this subject I consider the faith of the Union pledged; and I never would attempt coercive manumission in a slaveholding state.

But none of the causes which induced the sacrifice of this principle, and which now produce such an unequal representation of the free population of the country, exists as between us and the newly acquired territory across the Mississippi. That portion of country has no claims to such an unequal representation, unjust in its results upon the other states. Are the numerous slaves in extensive countries, which we may acquire by purchase, and admit as states into the Union, at once to be represented on this floor, under a clause of the Constitution, granted as a compromise and a benefit to the southern states, which had borne part in the Revolution? Such an extension of that clause in the Constitution, would be unjust in its operations, unequal in its results, and a violation of its original intention. Abstract from the moral effects of slavery, its political consequences, in the representation under this clause of the Constitution, demonstrate the importance of the proposed amendment.

Sir, I shall bow in silence to the will of the majority, on which ever side it shall be expressed; yet I confidently hope that majority will be found on the side of an amendment, so replete with moral consequences, so pregnant with important political results.

PROCEEDINGS
OF THE
MANUMISSION SOCIETY
OF THE CITY OF NEW YORK,
AND THE CORRESPONDENCE OF THEIR COMMITTEE WITH
MESSRS. TALLMADGE AND TAYLOR.

NEW YORK, FEB. 24, 1819.

GENTLEMEN,— The New York Society for promoting the manumission of slaves, &c., have directed us, as their committee, to transmit to you the enclosed resolutions.

It is grateful to our feelings to be the Medium on this occasion, of communicating to you the sincere and unanimous acknowledgments of the society, for services honorable alike to the public and personal character of those by whom they have been performed, and to the state, by whose representatives, her public opinion on the subject of **SLAVERY**, has been so manfully asserted.

With sentiments of respectful consideration, we have the honor to be,
Your ob't serv'ts,

I. M. ELY,
HIRAM KETCHUM,
GEORGE NEWBOLD.

To the Hon. Messrs. JAMES TALLMADGE, }
and JOHN W. TAYLOR. }

In the New York Manumission Society.

At a special meeting, held in the city of New York, February 23,
1819 —

The minutes of the proceedings of the House of Representatives of the United States, on the bill for authorizing the people of the territory of Missouri, to form a constitution and state government, and for the

admission of the same into the Union, and on the bill to establish the territorial government of the Arkansas territory, having been read; from which it appears, that motions were introduced, by the Honorable JAMES TALLMADGE, and the Hon. JOHN W. TAYLOR, representatives from this state, for preventing the further introduction of slavery into the proposed state and territory, and for securing the ultimate emancipation of all children, who may hereafter be born of slaves, in such state and territory: The following resolutions, were thereupon, on motion, unanimously adopted:—

Resolved, That, in the opinion of this society, the further introduction of slavery into any of our states or territories, is revolting to the enlightened philanthropy of the present age—is irreconcileable with the genius of our government and institutions, and hostile to the political, moral, and social interests of our common country.

Resolved, That the Hon. Messrs. TALLMADGE and TAYLOR, for their manly and persevering efforts in Congress, to prevent the further extension of the evils of slavery, have elevated the character of the state of New York, and entitled themselves to the approbation of all good men.

Resolved, That the thanks of this society be presented to those gentlemen, as a memorial of the sense which we entertain of the value of their services, in the cause of justice, of humanity, and of freedom.

Resolved, That the above preamble and resolutions be signed by the president of this society, and that copies of the same be transmitted to Messrs. TALLMADGE and TAYLOR, by a select committee, to be appointed for that purpose.

CADWALLADER D. COLDEN, *President.*

WASHINGTON, MARCH 1, 1819.

GENTLEMEN,—Your favor of the 24th of last month, transmitting resolutions of the New York Society for promoting the manumission of slaves, was duly received. We cannot be insensible to the favorable opinion expressed by your Institution of our efforts to advance the cause of freedom in America. That the very humane and benevolent objects of your association, may ultimately receive their full accomplishment, is our constant desire and ardent prayer. Our best exertions on all occasions, will be faithfully directed to the promotion of the same grand design. Whatever may be the issue of the particular subject, which gave rise to the resolutions, we shall ever cherish a grateful recollection of the approbation of our services, by the members of your society. In requesting of you the favor to communicate to them our unfeigned thanks, for their distinguished notice, we tender to you our united acknowledgments for the friendly sentiments contained in your letter.

We have the honor to be, very respectfully,
Your ob't serv'ts,

JAMES TALLMADGE,
JOHN TAYLOR.

Messrs. I. M. ELY, HIRAM KETCHUM, }
and GEORGE NEWBOLD. }



